

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
United States Patent and Trademark  
Office  
Box PCT  
Washington, D.C.20231  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 15 June 2000 (15.06.00)	
International application No. PCT/US99/26246	Applicant's or agent's file reference CM1930/MH
International filing date (day/month/year) 04 November 1999 (04.11.99)	Priority date (day/month/year) 09 November 1998 (09.11.98)
Applicant TACK, Joris, Jozef, Gustaaf et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

18 May 2000 (18.05.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Juan Cruz Telephone No.: (41-22) 338.83.38
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# INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP98/04629

## A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl<sup>6</sup> B65D43/16, 83/08, A47K7/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl<sup>6</sup> B65D43/16, 53/02, 83/08, A47K7/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho 1926-1999 Toroku Jitsuyo Shinan Koho 1994-1999  
Kokai Jitsuyo Shinan Koho 1971-1999

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y A	JP, 53-28043, U (Kanebo, Ltd.), 10 March, 1978 (10. 03. 78), Figs. 1, 2 (Family: none)	1-17, 20, 22, 24-35 18, 19, 21, 23
Y A	JP, 9-58725, A (Uni Charm Corp., Dainippon Printing Co., Ltd.), 4 March, 1997 (04. 03. 97), Abstract, page 7, column 12, lines 5 to 13 ; Figs. 1, 16, 18, 21, 22 & EP, 748748, A1	1-17, 20, 22, 24-35 18, 19, 21, 23
Y A	JP, 2-1376, U (Mitsubishi Motors Corp.), 8 January, 1990 (08. 01. 90), Figs. 2, 5 (Family: none)	3, 4, 20, 22 18, 19, 21
Y	JP, 62-4212, U (K.K. Hidama Seisakusho), 12 January, 1987 (12. 01. 87), Fig. 2 (Family: none)	5

☒ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

\* Special categories of cited documents:  
\*A\* document defining the general state of the art which is not considered to be of particular relevance  
\*E\* earlier document but published on or after the international filing date  
\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
\*O\* document referring to an oral disclosure, use, exhibition or other means  
\*P\* document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
"&" document member of the same patent family

Date of the actual completion of the international search  
11 January, 1999 (11. 01. 99)

Date of mailing of the international search report  
19 January, 1999 (19. 01. 99)

Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP98/04629

## C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	JP, 57-118795, U (K.K. Katsushika Puresu Kogyosho), 23 July, 1982 (23. 07. 82), Fig. 2 (Family: none)	7
Y	JP, 61-147751, U (NOK Corp.), 11 September, 1986 (11. 09. 86), Fig. 3 (Family: none)	7
Y	JP, 54-123941, U (Yoshino Kogyosho Co.,Ltd.), 30 August, 1979 (30. 08. 79), Fig. 2 (Family: none)	8
Y	JP, 55-29485, A (Unilever N.V.), 1 March, 1980 (01. 03. 80), Fig. 2 (Family: none)	10
Y	JP, 4-117722, U (Nippura Co., Ltd., Sumitomo Heavy Industries,Ltd.), 21 October, 1992 (21. 10. 92), Abstract (Family: none)	14, 32, 33
Y	JP, 63-192292, U (Yugen Kaisha Hongo), 12 December, 1988 (12. 12. 88), Fig. 2 (Family: none)	24
Y	JP, 2-31840, U (Nippon Columbia Co.,Ltd.), 28 February, 1990 (28. 02. 90), Fig. 2 (Family: none)	26, 27
Y	JP, 50-154329, U (Tokai Pulp Co., Ltd.), 22 December, 1975 (22. 12. 75), Fig. 2 (Family: none)	28
Y	JP, 8-80980, A (Uni Charm Corp., Dainippon Printing Co.,Ltd.), 26 March, 1996 (26. 03. 96), Fig. 2 (Family: none)	30
Y	JP, 54-106940, U (Pigeon Corp.), 27 July, 1979 (27. 07. 79), Fig. 4 (Family: none)	34

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM1930/MH</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 99/ 26246</b>	International filing date (day/month/year) <b>04/11/1999</b>	(Earliest) Priority Date (day/month/year) <b>09/11/1998</b>
Applicant <b>THE PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

### 1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1  
☐ None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No.

P 99/26246

A. CLASSIFICATION OF SUBJECT MATTER  
 IPC 7 A47K10/42 B65D43/16

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A47K B65D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 040 680 A (WILSON) 20 August 1991 (1991-08-20)	1
A	column 2, line 13-68; figure 2	14
Y	WO 98 19933 A (THE PROCTER AND GAMBLE COMPANY) 14 May 1998 (1998-05-14)	1-5, 7, 8, 15
A	page 2, line 26 -page 3, line 25; figures 1-7	9
Y	US 5 785 179 A (KIMBERLEBUCZWINSKI) 28 July 1998 (1998-07-28)	1-5, 7, 8, 15
	column 5, line 57 -column 9, line 21; figures 1-5	
A	US 3 967 756 A (BARISH) 6 July 1976 (1976-07-06)	1, 14
	column 2, line 8 -column 3, line 33; figures 1-5	
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

4 February 2000

Date of mailing of the international search report

14/02/2000

Name and mailing address of the ISA

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Authorized officer

Kergueno, J

# INTERNATIONAL SEARCH REPORT

International Application No

P S 99/26246

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 513 877 A (TAGUCHI) 30 April 1985 (1985-04-30) column 2, line 29-61; figure 1	6, 13
A	US 5 459 206 A (SOMEMIYA) 17 October 1995 (1995-10-17) *abstract*	9, 10
A	DE 42 41 964 A (WEIDENHAMMER PACKUNGEN KG GMBH & CO) 16 June 1994 (1994-06-16) column 3, line 44 -column 5, line 7; figures 1-3	14
A	US 3 786 913 A (CRAWFORD) 22 January 1974 (1974-01-22)	
A	FR 2 678 910 A (EUROCLEAN) 15 January 1993 (1993-01-15)	
A	US 2 033 295 A (PARKIN) 10 March 1936 (1936-03-10)	

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

P S 99/26246

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5040680	A	20-08-1991	CA 2013794 A	05-10-1990
WO 9819933	A	14-05-1998	ES 1035583 U AU 7001598 A	16-05-1997 29-05-1998
US 5785179	A	28-07-1998	AU 7496398 A WO 9855372 A	21-12-1998 10-12-1998
US 3967756	A	06-07-1976	NONE	
US 4513877	A	30-04-1985	NONE	
US 5459206	A	17-10-1995	JP 5331447 A DE 69316060 D DE 69316060 T EP 0563894 A	14-12-1993 12-02-1998 23-04-1998 06-10-1993
DE 4241964	A	16-06-1994	NONE	
US 3786913	A	22-01-1974	NONE	
FR 2678910	A	15-01-1993	NONE	
US 2033295	A	10-03-1936	NONE	

## 国際調査報告

国際出願番号 PCT/JP98/04629

## A. 発明の属する分野の分類 (国際特許分類 (IPC))

Int. Cl<sup>8</sup> B65D 43/16, 83/08  
A47K 7/00

## B. 調査を行った分野

## 調査を行った最小限資料 (国際特許分類 (IPC))

Int. Cl<sup>8</sup> B65D 43/16, 53/02, 83/08  
A47K 7/00

## 最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報 1926-1999  
日本国公開実用新案公報 1971-1999  
日本国登録実用新案公報 1994-1999

## 国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)

## C. 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
Y A	JP, 53-28043, U (鐘紡株式会社) 10. 3月. 1978 (10. 03. 1978), 第1図, 第2図 (ファミリーなし)	1-17, 20, 22, 24-35 18, 19, 21, 23
Y A	JP, 9-58725, A (ユニ・チャーム株式会社, 大日本印刷株式会社) 4. 3月. 1997 (04. 03. 1997), 要約, 第7頁第12欄第5行目~第13行目, 第1図, 第16図, 第18図, 第21図, 第22図 & EP, 748748, A1	1-17, 20, 22, 24-35 18, 19, 21, 23
Y A	JP, 2-1376, U (三菱自動車工業株式会社) 8. 1月. 1990 (08. 01. 1990), 第2図, 第5図 (ファミリーなし)	3, 4, 20, 22 18, 19, 21

☒ C欄の続きにも文献が列挙されている。☐ パテントファミリーに関する別紙を参照。

## \* 引用文献のカテゴリー

「A」 特に関連のある文献ではなく、一般的技術水準を示すもの

「E」 国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの

「L」 優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す)

「O」 口頭による開示、使用、展示等に言及する文献

「P」 国際出願日前で、かつ優先権の主張の基礎となる出願

の日の後に公表された文献

「T」 国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの

「X」 特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの

「Y」 特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの

「&amp;」 同一パテントファミリー文献

国際調査を完了した日

11. 01. 99

国際調査報告の発送日

19.01.99

国際調査機関の名称及びあて先

日本国特許庁 (ISA/JP)

郵便番号 100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

中島 成

3E

9243

電話番号 03-3581-1101 内線 3347



## C (続き) . 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
Y	JP, 62-4212, U (株式会社飛弾製作所) 12. 1月. 1987 (12. 01. 1987), 第2図 (ファミリーなし)	5
Y	JP, 57-118795, U (株式会社葛飾プレス工業所) 23. 7月. 1982 (23. 07. 1982), 第2図 (ファミリーなし)	7
Y	JP, 61-147751, U (エヌオーケー株式会社) 11. 9月. 1986 (11. 09. 198 6), 第3図 (ファミリーなし)	7
Y	JP, 54-123941, U (株式会社吉野工業所) 30. 8月. 1979 (30. 08. 1979), 第2図 (ファミリーなし)	8
Y	JP, 55-29485, A (ユニリーバー・ナームローゼ・ベンノートシヤー プ) 1. 3月. 1980 (01. 03. 1980), 第2図 (ファミリーなし)	10
Y	JP, 4-117722, U (日プラ株式会社, 住友重機械工業株式会社) 21. 10 月. 1992 (21. 10. 1992), 要約 (ファミリーなし)	14, 32, 33
Y	JP, 63-192292, U (有限会社本郷) 12. 12月. 1988 (12. 12. 1988), 第 2図 (ファミリーなし)	24
Y	JP, 2-31840, U (日本コロムビア株式会社) 28. 2月. 1990 (28. 02. 199 0), 第2図 (ファミリーなし)	26, 27
Y	JP, 50-154329, U (東海パルプ株式会社) 22. 12月. 1975 (22. 12. 197 5), 第2図 (ファミリーなし)	28
Y	JP, 8-80980, A (ユニ・チャーム株式会社, 大日本印刷株式会社) 2 6. 3月. 1996 (26. 03. 1996), 第2図 (ファミリーなし)	30
Y	JP, 54-106940, U (ビジョン株式会社) 27. 7月. 1979 (27. 07. 1979), 第4図 (ファミリーなし)	34

REC'D 12 MAR 2001

WIPO

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CM1930/MH	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/26246	International filing date (day/month/year) 04/11/1999	Priority date (day/month/year) 09/11/1998
International Patent Classification (IPC) or national classification and IPC A47K10/42		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 7 sheets, including this cover sheet.
  - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

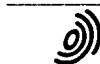
Date of submission of the demand

18/05/2000

Date of completion of this report

08.03.2001

Name and mailing address of the international preliminary examining authority:

 European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Authorized officer

Kergueno, J

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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/26246

## I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

### Description, pages:

1-17 as originally filed

### Claims, No.:

1-15 as originally filed

### Drawings, sheets:

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/26246

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	2-15
	No:	Claims	1
Inventive step (IS)	Yes:	Claims	14
	No:	Claims	1-13,15
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations  
**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US99/26246

**R l t m V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1.1 US-A-5040680 discloses a container for wetted wipes, comprising a container body (3,31), a stationary cover (3) being integrated to said container body, said stationary cover comprising one dispensing opening (5) through which the container contents is removable, a movable lid (7) which is movably attached to said stationary cover, so as to reversibly close said dispensing opening, and wherein a an adhesive foil (35) is located between said stationary cover and said movable lid for shipment purposes.

1.2 It is implicitly derivable from the use of the container that the adhesive foil is intended for preventing desiccation of the wetted wipes, and is therefore inherently gas-proof, for providing a gas-tight barrier between the inside and the outside of the container. As shipment occurs with the movable lid in the closed position, the disclosure reads on claim 1, thereby depriving an alternative in said claim of novelty, whereby said claim does not meet the criteria set out in PCT Article 33(2).

2.1 WO-A-9819933 discloses with reference to figs.1-4 a container for wetted wipes, comprising a container body (1), a stationary cover (2) being removably fitted on said container body, said stationary cover comprising one dispensing opening (6) through which the container contents is removable, a movable lid (9) which is movably attached to said stationary cover, so as to reversibly close said dispensing opening.

2.2 The subject-matter of claim 1 in one of its alternatives differs from what is known from this prior art through the features introduced by the characterising portion in said claim, which features aim at preventing a drying out of the wipes over the whole period of storage, including actual use of the dispensing container.

2.3 The same problem as above stated is also addressed in document US-A-5785179, and solved by means of sealing means (90), in the form of a separate component, located between a container body (22) for wetted wipes and a movable lid (24), said means being intended for providing a hermetically sealed environment to prevent moisture from escaping from the interior of the container when the movable lid is in the closed position.

Such sealing means cannot be distinguished over the gas-proof means recited in claim 1 and fulfill the same function of preventing a drying out of the wipes over the whole period of storage.

2.4 The wetted wipes in WO-A-9819933 are protected prior to use by means of an impermeable, tearable laminar seal 4 interposed between the stationary cover and the container body. This does not preclude the provision of further means intended to fulfill a sealing function during actual use of the dispenser. The skilled person would recognise the advantages provided in this respect by the sealing means in document US-A-5785179 and would seek to incorporate such means in a similar manner in the dispenser known from document WO-A-9819933, thus locating said means between the stationary cover and the movable lid and arriving, without the exercise of an inventive activity, at a container according to claim 1. For these reasons claim 1 does not meet the criteria set out in PCT Article 33(3), its subject-matter lacking an inventive step.

3. The features introduced by dependent claims 2-12 do not appear to confer an inventive step for the following reasons:

- claim 2; a spring element (flap 11) performing the same function is known in combination from the above cited WO-A-9819933;
- claim 3; the provision of a locking mechanism between for the cover 2 is also disclosed in said document (p.3/l.1-4);
- claims 4,5; these claims further specify the locking mechanism to be of the push-button type as generally suggested in the above-cited US-A-5785179 and specifically disclosed in document EP-A-0748748 (fig.3b,c, push-button 52 combined with protrusions 32,52a);
- claim 6; a mere alternative for a lid spring, cf. US-A-4513877 (coil spring 27);
- claim 7; the material is disclosed for the same purpose in the above cited EP-A-0748748 (col.6/l.29-45);

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- claim 8; the separate, peripheral seal component in WO-A-9819933 cannot be differentiated over the appellation gasket seal;
- claims 9,10; silicon elastomers are of common use for sealing purposes, e.g. US-A-5459206 (col.14/l.25-31); these elastomers are curable at room temperature and suitable for use for assembly working in production lines (col.14/l.54-65), whereby the laying process according to claim 10 would be considered as normal procedure by the skilled person;
- claims 11,12; an immediate design alternative to claim 10, cf. US-A-2033295 (fig.5, seal 18 for lid 25);
- claim 13; the flush design of containers is generally known, eg. the above cited US-A-4513877, and the further features introduced are to consider as mere design alternatives linked to their own benefits and not contributing to the inventive concept underlying claim 1.
- claim 15; an obvious feature of intended use in the technical field concerned.

It is further commented that besides the features introduced by dependent claims 8-12, the further dependent claims are directed to features which do not address a development of the inventive concept underlying claim 1 and thus provide their benefits independently from each other and from the features of said claim 1 without implying an effect of combinatoric nature.

4. The dispensing container known from the above cited US-A-5040680 comprises a stationary cover (3) forming an integral part of the top side of the container body, the bottom side (31) being implicitly permanently attached to said top side, whereby the dispenser is not intended for refill; should this be considered, then it could appear obvious to the skilled person to provide said bottom side with a suitable opening, since an introduction through the top side is not readily feasible. However the document teaches away from such a refilling option, as disclosing in combination the adhesive sealing foil 35, and thus explicitly a disposable, not refillable container.

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Otherwise termed, the prior container is not intended for cooperation with wetted wipes packaged within a flexible pouch which is to be opened prior to a container refill. Similar considerations would also apply to the containers disclosed in documents US-A-3967756, FR-A-2678910 or the previously cited WO-A-9819933.

Document DE-A-4241964 discloses a refillable container for wetted wipes having a refill opening at the bottom side of the container body, which is closed by a movable cover. The document does not however suggest a stationary cover being an integral part of the top side of the container body and teaches away from such a feature as providing instead a movable lid. The structure of the packaged wet wipes is further not adapted to a dispensing through an aperture of a stationary cover.

Therefore, besides being new, PCT Article 33(2), claim 14 also meets the criteria set out in PCT Article 33(3), its subject-matter involving an inventive step.